

REMARKS

Claims 37, 39-40, 42-45 are pending in the present application, claims 27-36, 38 and 41 having been canceled herein, and new claim 45 having been added. The Office Action has been considered. Favorable reconsideration is respectfully requested.

Applicant notes with appreciation the apparent indication that the claims are patentable of the prior art of record by the absence of a rejection over the prior art in the Final Office Action.

Claims 27-44 were rejected under 35 U.S.C. §112, first paragraph. Applicant has rewritten the claims to overcome this rejection reciting, in claim 39, relationships indicating constraints between the members of the group. The Examiner's attention is invited to page 17, lines 8-20 of the present application which describes the information on groups that is claimed in claim 39. Withdrawal of this rejection is respectfully requested.

Claims 27-44 are rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. This rejection is respectfully traversed with respect to the

claims as amended. The remarks submitted in the previous amendment are incorporated by reference herein.

In addition, Applicant submits the following remarks. Independent claim 45 is directed to a visiting plan generation system comprising a number of specific means plus function recitations including a visiting plan generation system, comprising a plan generating means for generating a visiting plan of a group at a predetermined point of time, based on information including locations of destinations, and conditions of tasks to be performed as information on said destinations, and information of said group constructed by a plurality of members including a mobile capacity (speed of movement) and a working capability defined by time required for the tasks of the members necessary for visiting plan generation; a destination assignment means for assigning a destination to the group and the members of the group when the plan generating means generates the visiting plan; a state memory means for memorizing a state X showing said visiting plan generated, the members of the each group and information on destination assignment to each group, and an optimum state in preceding visiting plan conditions; a state re-arrangement means connected with the state memory means for re-arranging the visiting plan to an optimum states by re-arranging the

destination to the group and the members of the group based on the state X memorized in the state memory means; a cost calculation means for calculating total time spent in moving and total time spent in working as the visiting plan cost $F_i(X_i)$ of each group, based on information including locations of destinations, and conditions of tasks to be performed as information on the destinations, and information of the group constructed by a plurality of members including a mobile capacity (speed of movement) and a working capability defined by time required for the tasks of the members necessary for visiting plan generation; a plan re-formation means for re-forming a visiting plan X_i for each group based on information including locations of destinations, and conditions of tasks to be performed, information of the group constructed by a plurality of members including a mobile capacity (speed of movement) and a working capability defined by time required for the tasks of said members, and information of visiting plan cost $F_i(X_i)$ of the group, and sending the re-formed visiting plan data to the state re-arrangement means. The state re-arrangement means re-arranges members of the group and visiting plan thereof to an optimum state, using the visiting plan X_i of the group I under the state X sent from the plan re-formation means and the visiting plan cost $F_i(X_i)$ thereof, and sending the re-arranged visiting plan data to the

state memory means as a visiting plan of the group I to an optimum state.

Applicant respectfully submits that the Office Action misstates the test for statutory claim analysis. A machine claim is statutory when the machine, as claimed, produces a concrete, tangible and useful result and/or when a specific machine is being claimed. (See MPEP §2106, 2100-18.) A claim limited to a machine, which has practical application in the technological arts is statutory. (See MPEP §2106, 2100-15.) Claims define non-statutory processes if they: (1) consist only of mathematical operations without some claimed practical application, or (2) simply manipulate abstract ideas without some claimed practical application. (See MPEP §2106, 2100-12.) Applicant respectfully submits that these standards are not met when viewing claims 45 and the dependent claims 37, 39-40 and 42-44 as a whole.

In particular, the outcome of the claimed invention is a visiting plan stored in the state memory means of the group I in an optimum state. This has practical application in the technological arts as providing an optimum way of assigning members of a group to particular tasks. As recited in the specification, at page 27, last full paragraph, the present invention is not limited in its application to the

visiting plan generation on a group by group basis. The present invention is also applicable to generation of a variety of action plans, for example, in an electronic part assembly process in which IC devices are mounted onto printed circuit boards (each of plural arms having a device (each of plural visitors) moves to (visits) a predetermined position on a printed circuit board for mounting the device thereon), or in a package distribution operation in transportation. The claims are directed to a specific means for performing the functions stated in the claims and do not consist of solely manipulation of abstract ideas or mathematical operations.

Reading the claims as a whole and in light of the specification, one of ordinary skill in the art would understand that the claims do recite a specific machine for performing the functions stated in the claims, which achieve a useful, concrete and tangible result with practical application to the technological arts. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for

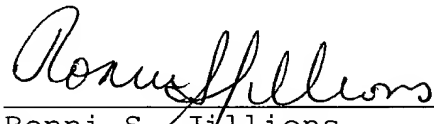
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allowance. Early notice to this effect is most earnestly solicited.

If the examiner has any questions, he is invited to contact the undersigned at (202) 628-5197.

Respectfully submitted,

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